

EAST PALESTINE COUNCIL 6/11/18 85 N. MARKET ST. 7PM

Mayor Zuch called the meeting to order, present was Mr. Cohen, Mr. Hall, Mr. Simpson, Mr. Todd, and Mr. Walker. Mr. Yokley was absent. Also present was Village Manager Pete Monteleone, Law Director Dave Powers, Finance Director Traci Thompson and Clerk Misti Martin. The minutes of the May 29 meeting were approved on a motion by Mr. Walker seconded by Mr. Cohen. The department reports for May 2018 were also approved on a motion by Mr. Walker seconded by Mr. Cohen.

AGENDA: CHAMBER PRESIDENT JOHN DAVIS TO PRESENT CHECK FOR SECURITY CAMERAS TO THE VILLAGE. On behalf of the East Palestine Chamber of Commerce, President John Davis presented a check for \$2000.00 to the Village to go towards the purchase of security cameras for the downtown area.

CLERK: NO REPORT

MAYOR: NO REPORT

MANAGER: Manager Monteleone stated the paving was completed and they did a good job. He said so far to date the Park Pool has sold \$12,520.00 in pool passes. Mr. Cohen brought up an issue with the paving off of Bacon Avenue and Carbon Hill Rd; he said he was contacted from someone who lives in the area, about a very small section that was not paved. There are two houses on that stretch of road and he doesn't understand why that small section wasn't paved. Monteleone asked Mr. Cohen to go look at it with him.

LAW DIRECTOR: Atty. Powers stated council had received legislation for proposed findings and orders from the EPA; he stated the Finance Director emailed him documentation that was to be sent to the EPA in reference to having the fines waived. Powers said he overlooked the email but he would get it sent in. He said Council should be thinking about some type of plan that would benefit the community in lieu of the fine if we aren't successful in having the remaining fine abated. He stated the Ohio Insurance Services vs. OPEC HC Receivership case latest hearing has been continued until August 27. Powers stated he would like an executive session to review some things. In reference to the involved parties in the issue Mr. Cohen stated it had been suggested about everyone joining together in possible action against OPEC to recover some funds, he said Atty. Stem had stated there was a deadline in doing so and Mr. Cohen asked what that was. Atty. Powers stated he did not know the exactly deadline, he didn't think it was imminent but he also didn't want to delay things. Atty. Powers stated he would like to discuss with Council what efforts they would or would not wish to pursue.

STREET: Mr. Simpson said the streets all look great and asked that alleys be next on the list. Mr. Hall stated he was contacted by a resident asking about lining the fencing on the overhead bridge with American Flags like they did in Boardman.

SAFETY/PARK/REC/CEM: Mr. Cohen stated the Park Board will be meeting on the 20th. He said the pool and the grass at the park look terrific. Mr. Cohen thanked the Street and Water Departments and the Manager for the extra effort in getting all of the park mowing caught up. Mr. Walker stated he feels we are presenting the community with a double standard in issuing residents zoning violations for high grass when the Park has grass that looks like a hay field, he doesn't feel we should issue any notices until we have our "house" in order. Mr. Cohen said he had heard a couple comments like that also but he also said he tried to explain to them that at that time the village had no summer help yet. Manager Monteleone stated our high grass zoning violations are all triggered by residents calling in on problem properties. Mr. Cohen asked about the start date for the tennis court project saying he thought it was to start around June 1, Monteleone stated that was the tentative start date. He said he is in constant contact with them and they know when they have to have the project completed so as not to interfere with the high school tennis season.

DEVELOPMENT: NO REPORT

UTILITY: Mr. Todd stated they met with MS Consultants and went over the 60% design plan for the plant. They also discussed some inflow issues coming into the plant. In reference to the Leslie Run Siphon Mr. Cohen asked if the plan was to leave it there or remove it, as some had felt it caused more problems than it fixed. Mr. Todd said he asked them specifically about that and MS still claims it is a functioning siphon and that it gives elevation that is needed as it approaches the plant. There was discussion as to the siphon being an issue with basement flooding to which Mr. Todd stated the answers he received from MS weren't the greatest, and he feels the issue is not resolved at this point. Mr. Simpson stated there will always be inflow and infiltration unless you fix every single line; he said these repairs should have been done years ago. He also stated he understands the idea of the siphon causing problems but we need to get the EQ tank in and see how much the issues are remedied. He said there is also talk of upsizing some lines to help with basement flooding but that would be at significant cost. Mr. Walker stated we are already spending five to six million on the project, why not spend one or two more and upsize all of the lines. Mr. Simpson said it comes down to us getting "the bang for our buck". Mr. Todd also said every dollar spend on this upgrade will mean more of an increase to the water/sewer bills.

FINANCE: NO REPORT

THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

VISITORS: John & Dot Herbert, Chief Jim Brown, John Davis, Jean Smith & Katie White.

LEGISLATION: Mr. Todd made a motion to amend Ord.8-2018 to add the FD Tanker Truck to the list of items for auction; the motion was seconded by Mr. Cohen, all in favor. Mr. Simpson introduced amended Ord. 8-2018 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the advertising of bids for the sale of personal property owned by the Municipality of East Palestine in conformity with Ohio Revised Code 721.15.** Mr. Simpson called for a vote on Ord. 8-2018 Mr. Cohen-y, Mr. Hall-y, Mr. Simpson, Mr. Todd-y, Mr. Walker-y. 5 YES to pass. Mr. Simpson introduced Ord. 9-2018 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance adopting the budget and estimated resources for the Village of East Palestine, Ohio, for the fiscal year beginning January 1, 2019.** Mr. Simpson introduced Res. 6-2018 and made a motion that it be read by title only seconded by Mr. Cohen. **A resolution declaring it necessary to levy a renewal tax (in excess of the ten mill limitation for one and one half (1.5) mills, for the purposes of providing and maintaining fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of firefighting companies or permanent, part time, or volunteer firefighting emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 842-34 of the revised code or the purchase of ambulance equipment or the provision of ambulance, paramedic, or other emergency medical services operated by a fire department of firefighting company; pursuant to Ohio Revised Code Section 5705.19 (i).** Mr. Simpson called for a vote on Res.6-2018. Mr. Hall-y, Mr. Simpson-y, Mr. Todd-y, MR. Walker-y, Mr. Cohen-y. 5 YES to pass. Mr. Simpson introduced Res 8-2018 and made a motion that it be read by title only seconded by Mr. Cohen. **A resolution accepting the amounts and rates and determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.** Mr. Simpson called for a vote on Res.8-2018. Mr. Simpson-y, Mr. Todd-y, Mr. Walker-y, Mr. Cohen-y, Mr. Hall-y. 5 YES to pass. Mr. Simpson introduced Res. 7-2018 and made a motion to be read by title only seconded by Mr. Cohen. **A resolution accepting agreed findings and orders of the Director of the Ohio Environmental Protections Agency, and authorizing the Municipal Manager to execute the same on behalf of the Village of East Palestine.** Mr. Cohen made a motion to table resolution 7-2018 as there is much more to be talked about regarding our course of action on this; the motion was seconded by Mr. Walker. Mr. Cohen-y, Mr. Hall-y, Mr. Simpson-n, Mr. Todd-y, Mr. Walker-y.

4-1 to table Res.7-2018. Manager Monteleone stated the first step is to submit the information the Finance Director provided to the EPA to request forgiveness and then if that is denied we would go the route of coming up with an idea (SEP) to submit to the EPA for keeping the fine money within our community instead of just writing them a check. Mr. Cohen asked if we are one deadline for this and Atty. Powers stated no because we are complying with the timeline that is set in the proposed findings. Atty. Powers stated council should start thinking of ideas that may qualify for a project if the forgiveness is denied. Mr. Cohen stated he would send a link to everyone for the EPA document that spells out everything we need to know about the SEP's (Supplemental Environmental Programs). Mr. Cohen and Simpson stated the projects are very specific and limited. At this time Mr. Cohen made a motion to go into executive session to discuss pending litigation per ORC Section 121.22 G 3, he invited in the Village Manager, Law Director and Finance Director, with no business to be conducted afterwards, the motion was seconded by Mr. Walker. Mr. Cohen-y, Mr. .Hall-y, Mr. Simpson-y, Mr. Todd-y, Mr. Walker-y. 5 yes to pass.

ADJOURN: At approximately 8:17 pm council resumed regular session with a motion to adjourn by Mr. Walker seconded by Mr. Hall, All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH